

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Virginia L. Ferrier,

Plaintiff(s),

vs.

Commissioner of Social Security,

Defendant(s).

:
:
:
:
:
:
:
:
:
:

Case Number: 1:15cv633

Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on April 25, 2016 (Doc. 13), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 12, 2016, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is DISMISSED with prejudice for lack of prosecution.

The Court certifies pursuant to 28 U.S.C. §1915(a) that an appeal of this Order will not be taken in good faith, therefore plaintiff is denied leave to appeal *in forma pauperis*. Plaintiff, a non-prisoner, remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *See Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court